

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of HART et al.

Appln. No: not yet known

Cont. of Appln. No.: 09/337,946

Group Art Unit: 1648

Filed: October 29, 2003

Examiner: D. Wortman

Title: EBOLA VIRION PROTEINS EXPRESSED FROM VENEZUELAN EQUINE  
ENCEPHALITIS VIRUS REPLICONS

October 29, 2003

**STATEMENT PURSUANT TO 37 CFR 1.198(d)**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

In connection with the above-identified continuation application, Applicants have filed concurrently herewith an Information Disclosure Statement and corresponding PTO-1449 form citing a number of references. Copies of all the references cited on the PTO-1449 form were submitted and considered in parent application Serial No. 09/337,946 (filed 6-22-99). Pursuant to 37 CFR 1.198(d), copies of these references are not required to be supplied in this continuation application.

By: 

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<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> <b>(Under 37 CFR 1.97(b) or 1.97(c))</b>			Docket No. <b>Army144(cont)</b>
In Re Application Of: <b>Hart et al.</b>			
Serial No. <b>not known</b>	Filing Date <b>October 29, 2003</b>	Examiner <b>D. Wortmann</b>	Group Art Unit <b>1648</b>
Title: <b>Ebola Virion Proteins Expressed from Venezuelan Equine Encephalitis Virus Replicons</b>			
Address to: <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>  <b>37 CFR 1.97(b)</b>  1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.  <b>37 CFR 1.97(c)</b>  2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:  <div style="margin-left: 40px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e);   <div style="text-align: center;"><b>OR</b></div> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). </div>			

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
Army144(cont)

In Re Application: **Hart etal.**

Serial No.  
not known

Filing Date  
October 29, 2003

Examiner  
D. Wortmann

Group Art Unit  
1648

**Ebola Virion Proteins Expressed from Venezuelan Equine Encephalitis Virus Replicons**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- ☐ Charge the amount of \_\_\_\_\_
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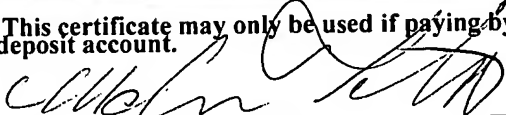
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\_\_\_\_\_  
Signature

Dated: **October 29, 2003**

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cc:

**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

ATTY DOCKET NO.  
Army144

SERIAL NO. of  
Cont. app 09/337,946

Inventors: Hart et al.

FILING  
10-29-03

GROUP  
1648

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	A	Davis et al., "A Viral Vaccine Vector that Expresses Foreign Genes in Lymph Nodes and Protects against Mucosal Challenge", J. Virology, June 1996, Vol. 70, No. 6, pp. 3781-3787.
	B	Bray et al., "A Model for Evaluation of Prophylaxis and Therapy of Ebola Hemorrhagic Fever", J. Infectious Diseases, 1998, 178:651-61.

EXAMINER

DATE CONSIDERED

MINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

Army-144

Application Number

09/337,946

Applicant(s)

Hart et al.

Filing Date

10-29-03

Group Art Unit

1648

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Grieder et al., "Specific Restrictions in the PROgression of Venezuelan Equine Encephalitis Virus-Induced Disease Resulting from Single Amino Acid Changes in the Glycoproteins", Virology 206, pp. 994-1006 (1995).

Pushko et al., "Replicon-Helper Systems from Attenuated Venezuelan Equine Encephalitis Virus: Expression of Heterologous Genes in Vitro and Immunization against Heterologous Pathogens in Vivo", Virology 239, 389-401 (1997).

Hart et al., "Priming of anti-human immunodeficiency virus (HIV) CD8+ cytotoxic T cells in vivo by carrier-free HIV synthetic peptides", PNAS USA, Vol. 88, pp. 9448-9452, Nov. 1991.

Sanchez et al., "Sequence analysis of hte Ebola virus genome: organization, genetic elements, and comparison withthe genome of Marburg virus", Virus Research, 29 (1993) 215-240.

Nicolet and Paulnock, "Promoter Analysis of an Interferon-Inducible Gene Associated with Macrophage Activation", J. Immunology, 1994, pp. 152-162.

Vanderzanden et al., "DNA vaccines expressing either the GP or NP genes of Ebola virus protect mice from lethal challenge", Virology 246, pp. 134-144 (1998).

Sanchez et al., "The nucleoprotein gene of Ebola virus: cloning, sequencing, and in vitro expression", Virology 170, pp. 81-91 (1989).

Volchkov et al., "GP mRNA of Ebola virus is edited by the Ebola virus polymerase and by T7 and vaccinia virus polymerases", Virology 214, pp. 421-430 (1995).

Gilligan, et al., "Assessment of Protective Immunity Conferred by Recombinant Vaccinia Viruses to Guinea Pigs Challenged with Ebola Virus", Vaccines 97, 1997, pp. 87-92.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

GROUP	1648
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[illegible][illegible]

OTHER DOCUMENTS (including Author, Title, Date, Volume, Page)		
	C	PCT International Search Report for international application no. PCT/US99/14311 (corresponding to US application serial no. 09/337,946), dated June 14, 2000 (8 pages)
	D	Xu, et al., "Immunization for Ebola virus infection", Nature Medicine, Vol. 4, No. 1, January 1998, pages 37-42.

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Use several sheets if necessary)

Application Number  
Cont. app. # 09/337,946

Filing Date. 10-29-05

Group Art Unit	1648
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EXAMINER	DATE CONSIDERED
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P098/REV04